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5 Attorneys for Plaintiff

6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**

9 MAHA ASKAR, an individual on behalf of herself  
and others similarly situated,

10 **Case No. 5:19-CV-06125-BLF**

11 Plaintiff,

12 v.

13 HEALTH PROVIDERS CHOICE, INC.; and  
14 DOES 1 to 10 inclusive,

15 **[PROPOSED] ORDER RE  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

16 Date: March 4, 2021  
Time: 9:00 a.m.  
Location: Courtroom 3  
(San Jose Courthouse)

17 Defendants.

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28 **[PROPOSED] ORDER RE MOTION FOR PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

1 Plaintiff Maha Askar (“Plaintiff”), individually and on behalf of the proposed class,  
 2 moved the Court for an order granting preliminary approval of a class action settlement of claims  
 3 against defendant Health Providers Choice, Inc. (“HPC”). Having carefully considered the  
 4 motion, its supporting papers, and the arguments of counsel, the Court will GRANT the motion.  
 5 Accordingly, the Court ORDERS as follows:

- 6       1. The Court preliminarily finds that the terms of the Joint Stipulation and Class  
 7 Action Settlement Agreement (“Settlement”) are fair, reasonable, and adequate,  
 8 and comply with Rule 23(e) of the Federal Rules of Civil Procedure.
- 9       2. The following proposed class (“Settlement Class”) is conditionally certified for  
 10 purposes of the Settlement only:

11                  All non-exempt hourly employees employed by Health Providers  
 12 Choice, Inc. in California at any time from September 26, 2015 through  
 13 the date of this Order who worked one or more workweeks in which  
 14 they were paid overtime and received per diem pay and/or a monetary  
 15 bonus.

- 16       3. The Court appoints Plaintiff as the representative of the Settlement Class.  
 17       4. The Court appoints Hayes Pawlenko LLP as class counsel for the Settlement  
 18 Class.

19       5. The proposed manner of the notice of settlement set forth in the Settlement  
 20 constitutes the best notice practicable under the circumstances and complies with the requirement  
 21 of due process.

22       6. The Court approves the form, substance, and requirements of the notice of  
 23 settlement attached as Exhibit A to the Settlement.

24       7. The parties shall carry out the notice process according to the terms of the  
 25 Settlement.

26       8. The Court appoints Phoenix Class Action Administration Solutions as the  
 27 settlement administrator, preliminarily approves settlement administration costs of up to \$3,500,

**~~PROPOSED~~ ORDER RE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

1 and directs the settlement administrator to complete dissemination of the notice of settlement in  
2 accordance with the Settlement.

3       9. A final approval (fairness) hearing is hereby set for October 7, 2021, at 9:00 a.m.  
4 in Courtroom 3 to consider the fairness, reasonableness, and adequacy of the Settlement as well  
5 as the award of attorneys' fees and costs to class counsel and a service award to the class  
6 representative.

7       10. Class counsel shall file the motion for an award of attorneys' fees and costs and  
8 incentive awards twenty-one (21) days after the settlement administrator disseminates the notice  
9 of settlement.

10      11. Class counsel shall file the motion for final approval of the Settlement, along with  
11 any objections to the Settlement and any responses thereto, no later than thirty-five (35) days  
12 before the final approval (fairness) hearing.

13      12. All proceedings in this action, other than proceedings necessary to carry out or  
14 enforce the Settlement or this Order, are stayed pending the final fairness hearing and the Court's  
15 decision whether to grant final approval of the Settlement.

16  
17 DATED: March 4, 2021



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19 HON. BETH LABSON FREEMAN  
20 United States District Judge  
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**[PROPOSED] ORDER RE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**